

Notice of Allowability

Application No.

09/981,358

Examiner

Cristina Owen Sherr

Applicant(s)

RANZINI ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE filed 11/20/06.
2. ☒ The allowed claim(s) is/are 9,30-37,39-52,55,59,62,64,66,68,71 and 107.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

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1. This communication is in response to applicant's amendment filed November 20, 2006. Claims 9, 30-37, 39-52, 55, 59, 62, 64, 66, 68, 71, and 107 are currently pending in this case.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on November 20, 2006 has been entered.

Priority

3. This application is a continuation-in-part of U.S. Application serial number 09/501,874, filed February 10, 2000.

Reasons for Allowance

4. The following is an Examiner's statement of reasons for the indication of allowable subject matter:

The closest prior art of record shows:

(1) Bocinsky, Jr. (US 5,371,797) discloses secure electronic funds transfer from a telephone or unsecured terminal.

(2) Rosen (US 6,047,887) discloses a system and method for connecting money modules.

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(3) Downs et al (US 6,574,609) disclose a secure electronic management system.

(4) Matsue et al (JP 02001283007A), disclose a fund transfer application receiving device and fund transfer managing method using this.

(5) Ginter et al (US 6,427,140) disclose systems and methods for secure transaction management and electronic rights protection.

(6) Anderson et al (US 20010018739 A1) disclose a method and system for processing electronic documents.

5. Applicant's set of claims consists of claims 9, 30-37, 39-52, 55, 59, 62, 64, 66, 68, 71, and 107.

6. Claim 107 is the sole independent claim currently pending. The closest prior art of record, Bocinsky, Jr. (US 5,371,797), discloses a secure electronic funds or other financial transaction system that provides substantially equivalent security to that obtained by the use of secure point of sale terminals. The other closest prior of record, Matsue et al (JP 02001283007A), disclose a funds transfer application for reducing the occurrence of an artificial mistake caused by manual (human) error. However, neither Bocinsky nor Matsue, alone or in combination, disclose the uniquely distinct feature of claim 107, having the at least one requirement that the recipient of the file containing a digital representation of money prove they are the intended recipient through either a random number generator card, smart card, or biometric scan comprised of a retina scan, fingerprint, or a voiceprint. Because the prior, alone or combination, does not teach or suggest the latter feature, nor is there motivation to do so, independent claim

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107, and its dependent claims 9, 30-37, 39-52, 55, 59, 62, 64, 66, 68, and 71 are deemed allowable.

7. Any comments considered necessary by Applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cristina Owen Sherr whose telephone number is 571-272-6711. The examiner can normally be reached on 8:30-5:00 Monday through Friday.

9. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew J. Fischer can be reached on 571-272-6779. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Cristina Owen Sherr
Patent Examiner
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ANDREW J. FISCHER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600